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May 30, 2023

**VIA ECF**

Hon. Joan M. Azrack, U.S.D.J.  
US District Court – EDNY  
100 Federal Plaza  
Central Islip, NY 11722

**RE: *Hernandez, et al. v. Rosso Uptown, Ltd., et al.***  
**Case No. 2:20-cv-04026-JMA-SIL**

To Your Honor:

This office was retained to represent Defendants Michael Tizzano and Massimo Gammella, for the limited purpose of drafting, filing, serving, and defending of their affirmative motions for relief and defending those motions to be made by Plaintiff. (The pre-motion letters from the Parties can be found at Dkt Nos. 49 – 51.)

We write jointly with Plaintiffs to request an extension of time to brief our anticipated motions. The Court had entered an order on April 17, 2023 waiving the pre-motion conference, giving the Parties leave to file, and that counsel should confer and submit a proposed briefing schedule. (Dkt. No. 54). Counsel apologize for the failure to conform to that order and submit a briefing schedule on time; Plaintiffs’ counsel had a close death in the family and the undersigned, with a busy trial schedule combined, unable to get a letter to your Honor.

Since Your Honor’s May 3, 2023 order setting out a briefing schedule, the Parties have conferred and now request that initial motions be served on the opposing counsel no later than June 30, 2023; opposing papers on July 14, 2023, 2023; and replies on July 28, 2023 (with each party filing their fully-briefed motions by July 29, 2023).

The Parties thank the Court for its care and attention to this matter.

Best regards,

*Kevin S. Johnson*

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